

SECURITY AND MIGRANTS

by

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Framing the Question and the Approach

Following the lead of the organizing document, with some amendments that might eventually be explained if time is available, let me distinguish among four different types of agents:

- (1) the individual;
- (2) society and groups within the civil society;
- (3) the state; and
- (4) international agencies, either regional or global.

In theory, each of these can be threatened or be a source of threat. That threat can be a perceived one or an actual one. Further, whether perceived or actual, each agency has its own set of institutional practices that embody norms that justify a type and degree of response. Each of these agents can respond to the threat, whether perceived or real, at various different levels. First, the agent can immediately respond to the threat with any defensive initiatives within its capability and determination. Second, the agent can communicate that it perceives the threat, the evidence on which that perception is based, the normative justification for responding to the perceived threat, and/or the response expected and possibly from whom. Third, the agent can take the perception and the evidence for it to a judicial authority to adjudicate the threat and authorize an enforcement action to reduce or eliminate the threat. Finally, the agent can engage in a moral campaign to publicize existing norms or advocate a shift in the meaning of norms (and, sometimes, even propose new norms) for dealing with the threat. Alternatively, an intellectual program can be undertaken (usually by academics) to understand the source and roots of the campaign so that, once explained, it can be dealt with more adequately.

For each type of agent we find the same four types of threats:

- 1) coercive threats to physical well-being and safety;
- 2) economic threats to material well-being and security;
- 3) threats to the integrity and autonomy of that agency;
- 4) threats to the recognition and legitimacy of the boundaries of that agency.

In the cases under study, the concern is with immigrants and the national and international immigration regimes. To link up immigration with a framework for examining threats, we also need some intellectual understanding of immigration. There are four aspects of immigration policy:

- (1) overseas or international policy;
- (2) entry policy re immigrants;
- (3) domestic asylum policies re refugees;
- (4) domestic integration policies and practices re both immigrants and refugees.

The interpretation of the refugee regime depends on the intellectual glasses with which these policies are approached. Realists regard immigration and refugee policies as ones determined by the power and economic interests of autonomous (and, presumably,

unitary) rational state actors. Because of that, the security of the state actor (rather than the security of its individual members or the culture of the society or the integrity of the nation) is the principle determinant of immigration policy, both domestically and internationally. Therefore, immigrants are selected in terms of numbers and qualities on the basis of the degree to which they strengthen the state. Refugees are allowed entry because it serves the international interests of the state to do so. Overseas policies are dictated by the same concerns, and vary by state according to the interests of that state. However, within the state, the determination of those interests and the priority among them are determined by the economic and social interests of the members of that state.

Neo-liberals add to the realist perspective the role of international agencies and regimes in fostering immigration and the intake of refugees as well as their settlement and repatriation into a specific country. Further, states follow, enhance and develop international institutions and norms to handle and deal with the problems of immigrants and refugees. The cooperation and coordination among countries, in turn, is aided by the development of these international institutions and NGOs as an international global civil society is itself fostered by the international refugee and immigration regime. In turn, the degree of cooperation and coordination of any one state in such a developing immigration and refugee regime is affected by domestic immigration and refugee coalitions in the civilian society, some with international links. They critique state policies and foster the development of ones that are more conducive to the development of greater cooperation and coordination among states.

Thirdly, we find the institutional theorists on the domestic front and the grotians internationally who examine domestic and international bureaucracies. Rules and laws, and the policies and practices that enforce them, are the key ingredients in the development of immigration and refugee policies. Autonomous, and determined more by their own agendas than the interests of the state or the pressures of social and interest groups, the changing nature of such bureaucracies are examined to explain shifts in immigration and refugee law. For it is these groups that see themselves as the universal protectors of either the interests of the state or the emerging global regime rather than interests on their own, on the one hand, or the teleological pre-established goal of an increasingly progressive neo-liberal international regime of cooperation and coordination.

Finally, there are various forms of cosmopolitans and globalization theorists (globalists) varying from structuralists to neo-Gramscians who argue that the state is beginning to wither away under the assault of international forces and economics so that states are increasingly unable to control their own immigration and refugee policies. Most efforts of state political actors, supporters of international regimes and members of bureaucracies generally fight various types of rearguard actions to offset the effects of such forces. In the case of neo-liberals, they as often as not surrender to them in the hopes that they foster a more egalitarian and cooperative world. Grotian/bureaucratic theorists believe state rules and laws combined with international ones can be used to tame these forces even as the sovereignty of states that govern exclusive sections of the territory of the globe is being undermined by these global economic forces.

Given this intellectual frame for examining the relationship to the relationship between security and migration policy, I can now turn to the examination of the papers themselves.

The Themes and Ideas of the Initiators of the Project

The opening assumption focuses on the expansion of the concept of security from military threats to the state and its territorial integrity to a broader concept of security that includes economic, social and environmental issues. Both voluntary and forced migration have been connected to this wider conception of security. In turn, humanitarian military actions have been initiated at the UN or by coalitions of the like-minded often to deal with massive movements of populations and/or massive human suffering that threaten the stability of the nation-state system.

This is a globalist perspective. Intellectual trends are perceived as following this globalist trend by broadening the conception of security away from a state-centered approach, with its concentration on the military threat to the state of realist theory, and focusing on the intersection of this broader conception of security and migration. Put another way, security theorists have been realists and migration theorists have tended to be neo-liberals. As this project is conceived, it is a marriage and overcoming of the tensions and contradictions between the realist approach to security issues and the neo-liberal approach to immigration policy in favour of a more transcendental globalist methodology and global perspective.

What methodology did they plan to follow? First, by taking the broadest conception of security, they propose to examine the conflicting interpretations of security scholars (presumably state-centred realists) and migration scholars (presumably neo-liberals in my terminology). Do they intend to do this by examining in detail the research of both security and migration scholars to tease out the contradictions and critique and overcome them? No, though they construct a Readers Digest summary of their historiography of intellectual development in which neo-liberals of the Copenhagen School and Critical Security Theorists (themselves globalists) have challenged the dominant realist paradigm. (Unfortunately, I have neither the time nor the tools with me to examine the validity of the interpretation offered. Is there a tension in the studies that link security and migration to focus on the bipolarity of state security and control versus the human rights of the individual seeking asylum? The late Myron Wiener, Mark Miller and Astri Suhrke are all seen as precursors to such a study in focusing on this nexus.) The plan was to examine four regions of the globe and have the conjunction of migration and security examined both by a scholar with a security orientation and one with a background in immigration studies. Further, one global issue, human trafficking, was to be examined from both perspectives.

The selection of this one cross-cutting global issue is never given a rationale. However, one can speculate on what it might be. After all, human smuggling threatens the very conception of the realist paradigm that states exist *and can function* to protect their own members. If states are unable to fulfill the most fundamental function of the state, to ensure that its citizens alone through the auspices of the state can determine who or who cannot be members of that state, then the plausibility of the realist state-centered paradigm is already threatened. Further, the prime victims of human smuggling are individuals. What better theme to take up than one which both encompasses a threat to the state at a most fundamental level and, at the same time, is a threat to the individual, the prime focus of the new interest in human security. And one is most threatening to the individual – that which removes the freedom to move from the individual and makes that

individual an instrument for a new global cartel focused on making money out of human exploitation and degradation.

Further, if one examines the two by four matrix and the focus on what is to be protected, physical security of the individual is subsumed as a value. It is as if one chooses to protect or risk or be unconcerned with one's physical security depending on Maslow, from whom the individual list of items chosen reduces values to a hierarchy of needs. The concern with safety – an anticipatory measure to ensure physical security - is accepted as a different value than physical security itself. It is no surprise that not one of the authors pays virtually any attention to the other three values – love, worth and self-actualization for I have yet to see either a security or migration scholar take up any of these “values” as serious components of their analysis. What is more interesting is that physical security is subsumed as a value as a way of throwing mud in the eyes of realists and saying, “So There!!!” Fortunately, none of the scholars, including the three who created the matrix, pay any real attention to this frankly silly set of sub-categories.

Further, the concept of state-society security is vague and confusing. Is the reference to the civil society? Or is the reference to the an ethnic or national group within a state that may feel threatened physically or by migration pressures. For example, in the case of the latter, empirical studies indicate a wide variety of measures that ethnic groups and nations take to the possible diminution of their ethnic group or nation if it is perceived to be under threat. These include anti-emigration measures, population birth policies, language and cultural policies, efforts to change boundaries of the state to increase the control of the nation over the instruments of the state, economic policies (including tax measures, subsidies, and collective strategic investment policies by the ethnic group perceived as a collectivity), limitations on human rights and, not least of all, migration policies to counter ethnic dilution and foster ethnic consolidation. At the same time, measures can be adopted that foster the out migration of other groups through the creation of a less hospitable environment to such extreme measures as coerced ethnic cleansing. What the matrix provides is a vaguer and more general category referring to identity, culture and social cohesion and adding economic, social and environmental well-being without distinguishing how these differ on the state and international level versus the ethnic level or the perspective of the civil society as a contrast.

Further, when one looks at the state and international level, the inputs of and effects of bureaucrats and officers of the state and of international institutions to the issues of both security and migration and their emphasis on management and control are virtually ignored. Contrast this to what may be considered the Canadian/Australian school (reflecting the importance of mandarins in the running of these respective states). Excluding my own writings, see, for example, the writings of Irv Abella, Gerald Dirks, Glenn, Freda Hawkins, Alan Simmons (even though he is an ostensible globalist), N. Suyama, Harold Troper, Reg Whitaker (who, incidentally, has been writing on both security and immigration issues for over twenty years) from Canada, or the writings of Allan Borowski, Cox, Ian Hardcastle, Holton, Finder, Foster and Parker from Australia. Does this reflect the general propensity to deny the separate existence of the others most proximate to oneself?

Without any further ado, let me turn to the papers themselves.

Migrant Smuggling and Security

Miskel's title misleads. It is a study of American policy in dealing with migrant smuggling from a security perspective. Further, it is the study of a neo-liberal political regime, that of Clinton. As such, instead of political autonomy and internal security, the values articulated in the organizer's matrix, the author documents that the goals of a neo-liberal state regime focus on democracy, including the promotion of democracy overseas. This supports my contention that the interpretation of the primary values of the state and the lens through which those values are examined reflect the primary propensity of that state as well as the angle of vision of the scholar doing the examination. In this case, we have a neo-liberal policy being examined through the lens of a neo-liberal theorist.

Further, because the neo-liberal position is an international expansion built on fundamentally realist premises, all four tools available - informational and diplomatic as well as economic and military - are used for security purposes. Informational and diplomatic as well as economic tools (but not military ones) are used bolster prosperity. But only economic and informational tools are used to foster democracy. These positions are totally consistent with a neo-liberal perspective and regime.

It is not surprising that the analysis begins, not with smuggling, but with interpretations of threats to state security from mass flows of migrants. Further, the analysis concludes that the security threat does not come from the outside per se but from the cross-border connections between indigenous groups and migrants. The fact that this is empirically questionable is not examined and reinforces the idea that the lens through which the material is examined has shaped the result. For example, Turkey's position vis a vis the Kurdish influx is both described and justified because of the connection to its internal dissident minority of Kurds. No consideration is given to the arguments that the Kurdish refugees in being stopped at the border were being denied their refugee rights under the Convention. More misleadingly, and apparently with little empirical knowledge of Zaire and what happened in 1994-95, the author contends that "Zaire's security, economy and form of government were all jeopardized by the hundreds of thousands [actually, over a million] of Rwandans who streamed into eastern Zaire during the 1994 Rwandan civil war."

First, the war had begun in 1990. The refugees were a product of the defeat of the Hutu extremists coup, the genocide, the RPF new determination to totally defeat the RPA, and the inducement and coercive measures of the fleeing army that wanted a source of further recruits as well as a shield (reinforced by the humanitarian agency influx) against the conquering RPF. To describe these refugees as a product of the war rather than the coup and the genocide is a very questionable interpretation of history. Those who flowed (or were forced) into Zaire included both refugees and military - approximately 50,000 FAR and probably even more Interahamwe. Initially, rather than threaten Mobutu's kleptocratic regime, they quickly became allied with it because they offset the dissident elements to his regime from within, provided an economic input into the region through humanitarian aid, and only two years later emerged as the crucial security threat to the regime. Finally, the assertion that the Rwanda refugee intervened directly in support of indigenous Hutu elements inside Zaire suggests that the indigenous Huitu Banyarwanda were under threat. I believe virtually all scholars claim that it was the

extremists in the refugee camps who threatened the Tutsi Banyarwanda and instigated the local Hutu population against their Tutsi Banyarwanda neighbors.

The author makes the same claim with respect to the Kurds – their outflow was the result of war. If I may quote myself (only because I did not have any other resources available this morning),

Following the defeat of the Iraqi army and the withdrawal of Iraq from Kuwait, uprisings took place in the north and south of Iraq to overthrow the Saddam Hussein regime. Both rebellions were quickly put down and, in the north, the suppression of the rebellion was accompanied by the harsh repression of the local population. Reinforced by memories of the use of chemical weapons on civilian populations, panic and a mass exodus took place as up to two million Kurds fled into the mountains towards the Turkish and Iranian borders.

The Turks, in contrast to the Iranians, would not let the Kurdish refugees in. In response to formal requests from both Turkey and France, and under its mandate to protect threats to international peace and security, the United Nations Security Council passed Resolution 688 by a vote of 10-3 condemning, "the repression of the Iraqi civilian population in many parts of Iraq, including most recently in Kurdish populated areas, the consequences of which threaten international peace and security in the region," and appealed to "all Member States and to all humanitarian organizations to contribute to these humanitarian relief efforts."

President Bush of the United States had resisted the pressure of President Turgut Ozal of Turkey and Prime Minister John Major of Britain to become involved. He did not want to fuel Kurdish separatism, dismember Iraq, set a dangerous precedent for interference in the internal affairs of a sovereign state or recommit American ground forces on Iraqi soil. The ineffectiveness of the private relief operations, the refusal of the Turkish authorities to open its borders to the fleeing refugees, the inaccessibility of the sites in the mountains and the urgency and massive nature of the problem impelled Bush to act and reintroduce troops into Iraq to induce the Kurdish refugees to return while the army provided for their relief and protection.

Resolution 688 was interpreted by Britain, France and the United States as permitting, if not explicitly authorizing, the use of military force by those countries to create safe havens within Iraq to encourage the return of the refugees.

"*Consistent* (my italics) with United Nations Security Council Resolution 688, and working closely with the United Nations and other international relief organizations and our European partners, I have directed the U.S. military to begin immediately to establish several encampments in northern Iraq where relief supplies for these refugees will be made available in large quantities and distributed in an orderly way."

A precedent had been set, with a widespread belief that it was backed by some international authorization, for military intervention in the domestic affairs of a state for purposes of protecting a minority population from the repression of its own government. Within several months, two unprecedented initiatives had been taken in the post Cold War world, one to reinforce the principle of state sovereignty and one which appeared to undermine that principle. Both were said to be motivated, not for "reasons of state". but ostensibly in the interests of international peace and security and were perceived to be actions sanctioned by the Security Council. A new option to the traditional three solutions for refugees - repatriation, settlement in countries of first asylum and resettlement abroad - had been created, that is, preventing the refugees from crossing an international border in the first place by "humanitarian intervention", creating safe havens protected by foreign military forces within the national homeland of the refugees.

Note the differences in interpretation. The mass influx is not a result of the war. They are a product of Iraqi repression, Turkish prioritization of realist security steps to refugee protection and American and British support for that priority combined with humanitarian concern to create the safe haven regime in Northern Iraq.

The puzzling question is why the author chose to enjoy a very questionable excursion into two cases of mass refugee flows in a short paper on smuggling. It seems to be a foil for a form of illegal migration that is not viewed as a threat to a state comparable to a mass influx. Further, smuggling is analyzed as an effort to get around quotas and fees. Why fees? Since when were fees the justification for smuggling since immigration fees, wherever they are imposed, are tiny in comparison to fees paid to smuggler. Further, the issue is not the quotas but the categories that permit entry which most of those illegally smuggled would not fall into. Thirdly, in addition to stressing the relative smallness of the problem, and viewing the effort as an attempt to get around bureaucratic obstacles (quotas and fees), the author stresses the secrecy of smuggling in contrast to the openness of mass migration. He also emphasizes the propensity of smuggled humans to disappear into the woodwork while refugees from mass flows remain a concentrated and a visible presence.

In other words, relative to any mass influx, smuggled migrants are not a real security threat. They are not a threat to the American system of government. And there effect on the economy is debatable. The author does not provide sufficient sources to this debate re the economic effects on the US, but in California and Texas, these are not small movements as the author seems ready to concede. Secondly, the debate is a substantive one, with one side arguing that these illegals depress wages, retard the replacement of obsolete industries with new ones, etc. On the other side, there is the argument that the California agricultural economy would collapse without this influx and the overall benefit is positive or, at the very least neutral. In fact, substantive research has documented the claim that the overall effect has been negative, and the bias of the author towards the net positive role from a neo-liberal leaning leads him to ignore the contentions of the opposite class.

Instead, smuggling is viewed not as a threat to state security or the economy but to the individual migrants and the integrity of the legal system. The suggestion is made that the stress on smuggling is based on institutional “rogue” forces (that is, they self-serving rather than disinterested mandarins) who want to increase their budgets, and the military looking for a budget to justify the huge budgets already allocated to the preservation of neo-liberal ideas. Further, smuggling has not undermined the public confidence in the government. The author does not examine the evidence suggests that smuggling does undermine domestic support for immigrants and refugees more generally. Instead, the concentration of the argument (true to a neo-liberal security perspective) is to focus on whether the increased input to the military does not compromise the military’s ability to execute its primary objective – the protection of the state. Can the use of military means to stop smuggling be constructive (that is, to the neo-liberal agenda)? [Since my copy was missing page 11, I will simply stop with the analysis.]

In sum, James Miskel looks at the problem through neo-liberal eyes more than security eyes and confirms neo-liberal convictions. let us now turn to the regional studies,

beginning with Emily Copeland who concentrates on the influx from Latin America into the United States.

Copeland stresses the small proportion of the flow into the US compared to that going to other states south of the border. {The fact that this may simply be a direct product of geographical distance from the major source areas is not mentioned. Nor is the large size of the influx relative to the intake into Canada.) Secondly, stress is made on the fact that refugee/asylum seekers dominate the inflow rather than migrants, legal or illegal. In other words, the point of the argument is similar to Miskel's – to diminish the concern with the problem rather than to assist in its analysis. It is like saying Tay-Sachs disease only affects a relatively small number, so we do not have to pay serious attention to the problem.

Unlike Miskel, Emily attacks the securitization of immigration generally and not just smuggling. Further, the securitization is not just the employment of military means to control the border, but the perceived effects on the ability of a sixty year old grandmother to identify with the population of immigrants with whom she was surrounded, that is, to feel at home. This explains the public support for these efforts. This support was reinforced by an increase of questions about and decreasing trust in the ability of the government to manage the problem, and this undermining the legitimacy of the government is cause for real concern. Countering these perceptions are real documented cases of abuses of the human and civil rights not only of the illegal migrants but of legal migrants and even citizens as well. Further, the concern is seen as a byproduct of the drug trade rather than something important on its own (in spite of the argument that more money is taken in by the human smugglers than those in the illegal drug trade. Thirdly, the concern has not led to effective results and, is therefore not only counterproductive but enhances perceived insecurity and undermines the neo-liberal agenda in the region.

The report moves from what is perceived as a pseudo problem to a real problem – the movement of refugees from war and environmental damage, particularly. Efforts placed here help the neo-liberal agenda by advancing regional security and enhancing the democratic institutional building in the region and the regional cooperation agenda in general. Further, since illegal immigration is best stopped at the source and by the country from which the migrants are flowing, and since the alternative policy reinforces anti-democratic tendencies, including the abuses of human rights, the best policy to follow is the agenda of neo-liberalism.

Thus, the security paper and the migration paper which overlap, are basically totally complementary rather than contradictory given the shared neo-liberal outlooks of the two authors.

Africa and the Great Lakes